

# BIRCH STEWART, KOLASCH & BIRCH LLP

## INTELLECTUAL PROPERTY LAW

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Date: November 2, 2000

Docket No.: 2750-1334P

## BOX PATENT APPLICATION

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

As authorized by the inventor(s), transmitted herewith for filing is a patent application applied for on behalf of the inventor(s) according to the provisions of 37 C.F.R. § 1.41(c), which claims priority under 35 U.S.C. § 119(e) of Provisional Application No. 60/163,091 filed on November 2, 1999.

Inventor(s): Nickolai ALEXANDROV, Maxim TROUKHAN

For: SEQUENCE-DETERMINED DNA FRAGMENTS AND CORRESPONDING POLYPEPTIDES ENCODED THEREBY

Enclosed are:

- A specification consisting of a description (94 pages), table 1 (4 pages), the claims (3 pages) a schematic (1 page), and an abstract (1 page) totaling one hundred three (103) pages
- ( ) sheet(s) of formal drawings
- Certified copy of Priority Document(s)
- Executed Declaration in accordance with 37 C.F.R. § 1.64 will follow
- A statement to establish small entity status under 37 C.F.R. § 1.9 and 37 C.F.R. § 1.27
- Preliminary Amendment
- Information Sheet

- Information Disclosure Statement, PTO-1449 and reference(s)
- Amend the specification by inserting before the first line the sentence:  
--This application claims priority on provisional Application No. filed on , the entire contents of which are hereby incorporated by reference.--
- Two identical CD-Rs created using IBM-PC, MS-Windows operating system. The files contained on the CD-R are as follows:

File Name	Date of Creation	File Size
001018 Protein Domain Table	October 19, 2000	2.05 MB

- Amend the specification by inserting before the first line the sentence:  
-- This application contains a CDR, the entire contents of which are hereby incorporated by reference. The CDR contains the following files:

File Name	Date of Creation	File Size

- Other: Power of Attorney regarding Small Entity Statement, ATCC Deposit receipts PTA-595, PTA-1161, PTA-1411

The filing fee has been calculated as shown below:

		LARGE ENTITY	SMALL ENTITY
BASIC FEE		\$710.00	\$355.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE
<b>TOTAL CLAIMS</b>	17 - 20 =	0	X 18 = \$0.00      x 9 = \$0.00
<b>INDEPENDENT CLAIMS</b>	3 - 3 =	0	x 80 = \$0.00      x 40 = \$0.00
MULTIPLE DEPENDENT <input type="checkbox"/> CLAIMS PRESENTED		+ \$270.00	+ \$135.00
	<b>TOTAL</b>	\$0.00	\$355.00

- The application transmitted herewith is filed in accordance with 37 C.F.R. § 1.41(c). The undersigned has been authorized by the inventor(s) to file the present application. The original duly executed declaration together with the surcharge will be forwarded in due course.
- A check in the amount of to cover the filing fee is enclosed.

Please charge Deposit Account No. 50-1055 in the amount of \$355.00 to cover the filing fee. A triplicate copy of this transmittal form is enclosed.

Please send correspondence to:

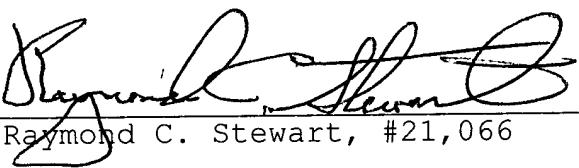
BIRCH, STEWART, KOLASCH & BIRCH, LLP - **Customer No. 2292**  
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If the Primary Deposit Account No. 50-1055 is deficient and non-payment will result in a loss of rights, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

  
Raymond C. Stewart, #21,066

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Falls Church, VA 22040-0747  
(703) 205-8000

RCS/JRK  
2750-1334P

Attachments

(Rev. 04/19/2000)

PATENT APPLICATION SERIAL NO. \_\_\_\_\_

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

11/03/2000 BHABTEW 00000018 501055 09703619

01 FC:201 355.00 CH

PTO-1556  
(5/87)

# ATCC

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## BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

### INTERNATIONAL FORM

#### RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3 AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

Ceres, Inc.  
Attn: Ling-Fong Chung  
3007 Malibu Canyon Road  
Malibu, CA 90265

Deposited on Behalf of: Ceres, Incorporated

Identification Reference by Depositor:

Patent Deposit Designation

*Arabidopsis thaliana* Wassilewskija ecotype seeds

PTA-595

The seeds were accompanied by:  a scientific description  a proposed taxonomic description indicated above. The seeds were received August 31, 1999 by this International Depository Authority and have been accepted.

AT YOUR REQUEST:  We will inform you of requests for the seeds for 30 years.

The seeds will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the seeds and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said seeds.

If the seeds should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with viable seeds of the same.

The seeds will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the seeds cited above was tested September 7, 1999. On that date, the seeds were viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

Barbara M. Hailey  
Barbara M. Hailey, Administrator, Patent Depository

Date: September 9, 1999

cc: Raymond Stewart, Esq. (Ref. Docket 80001.100)

PATENT  
2750-1334P

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09/703619  
11/02/00

IN THE U.S. PATENT AND TRADEMARK OFFICE

I N F O R M A T I O N   S H E E T

Applicant: Nickolai ALEXANDROV and Maxim TROUKHAN

Appl. No.: NEW

Filed: November 2, 2000

For: SEQUENCE-DETERMINED DNA FRAGMENTS AND  
CORRESPONDING POLYPEPTIDES ENCODED  
THEREBY

Priority Claimed: 2750-612P 60/163,091 November 2, 1999

Send Correspondence to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP or CUSTOMER NO. 2292  
P.O. Box 747  
Falls Church, VA 22040-0747  
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The above information is submitted to advise the U.S.P.T.O.  
of all relevant facts in connection with the present application.

A timely executed Declaration in accordance with 37 C.F.R.  
§ 1.64 will follow.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Raymond C. Stewart  
Raymond C. Stewart, #21,066

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